

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL ALEXANDER,

Defendant.

NO. CR-09-0087-EFS

**ORDER ENTERING RULINGS FROM  
MAY 5, 2011 HEARING**

A pretrial conference occurred in the above-captioned matter on May 5, 2011, in Spokane. Defendant Michael Alexander was present, represented by Terrence Ryan. Timothy Ohms and Earl Hicks appeared on the United States Attorney's Office's (USAO) behalf. Before the Court was the parties' Motion to Dismiss the Indictment (ECF No. 57) in this matter, based on Defendant's guilty plea and sentencing in CR-10-0052-EFS, which charged Defendant with being an Unlawful User of a Controlled Substance in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(3), and Maintaining a Drug Involved Premise, in violation of 21 U.S.C. § 856(a)(2). Leave of Court is given to dismiss the Indictment (ECF No. [1](#)); the Court, however, makes no judgment as to the merit or wisdom of this dismissal.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Motion to Dismiss the Indictment (**ECF No. 57**) is **GRANTED**.

2. The Indictment (ECF No. 1) is DISMISSED WITH PREJUDICE.

3. All pending motions are **DENIED AS MOOT**.

4. All pending hearing and trial dates are **STRICKEN**.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order and provide copies to counsel, the U.S. Probation Office, the U.S. Marshals, and the Jury Administrator.

**DATED** this 10<sup>th</sup> day of May 2011.

S/ Edward F. Shea  
EDWARD F. SHEA  
United States District Judge

Q:\Criminal\2009\87.Dismiss.wpd